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PATENT 5681-78600/P8864

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/765,828 Examiner: Unknown Group/Art Unit: 2154 Filed: January 27, 2004 Atty. Dkt. No: 5681-78600 Inventors: I hereby certify that this correspondence is being deposited with Patrick Petit the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below. B. Noël Kivlin Title: **OVERLOAD** Printed Name MANAGEMENT IN AN APPLICATION-BASED SERVER Signature Date

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

1.	This information disclosure Statement is submitted:						
	a.		within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application; before the mailing date of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.				
	b.		after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: the certification of paragraph 2 below is provided, or a fee of \$180.00 is enclosed.				
	c.		after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.				
2.	It is hereby certified:						
		that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty (30) days prior to the filing of the information disclosure statement;					
		that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the Statement; or					
		that no item of information contained in the Information Disclosure Statemer was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 1.56 (c) more than three (3) months prior to the filing of the Statement.					
3.			Consideration of the following additional information (including any co-pend or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:				
4.	For each non-English language reference listed on the attached Form PTO-1449:						
		reference is made to an English language translation (Abstract) submitted herewith, and/or					
			ce is made to a foreign patent office search report (in the English ge) submitted herewith, and/or				
			ce is made to an English language translation of a foreign patent office				

		reference is made to the concise explanation contained in the specification of the present application at page(s), and/or												
		reference is made to the concise explanation set forth below:												
5.		Applicant also offers the following comments for the Examiner's consideration:												
6.	\boxtimes	Also enclosed is a copy of a foreign search report citing these references.												
7.		The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.												
8.		applicant(s) requests that the Information Disclosure Statement and attached orm PTO-1449 and references, which are being filed before the grant of the atent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned opplication.												
	If any required fees are missing, the Commissioner is authorized to charge said fees to													
Meyert	ons, Ho	ood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5681-												
78600/	BNK.													
		Respectfully submitted,												
		B. Noel Kivlin												

Reg. No. 33,929

Attorney for Applicant(s)

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Date: 5.10-05

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Form PTO-1449 (modified ATT For Applicant's Information

₩DKT. NO. 5681-78600

SERIAL NO. 10/765,828

APPLICANT: Patrick Petit

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GROUP: 2154

Disclosure Statement			AT LIGHT. Tallick Fell			GROOT: 2154				
se severa	l sheets if necessary)	FILING DA	TE: January 27, 2004							
	U	J.S. PATENT	DOCUMENTS							
REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE APPROPRIAT				
	US 2003/0221007	11/27/2003	Chiu, Cheng-Hui, et al.							
										
	EOD	EICN DATE	NT DOCUMENTS							
REF. DES.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATIO YES/NO				
A1	JP 2003/067174					Yes (Abstra				
	OTHER ART (I	ncluding Autho	r, Title, Date, Pertinent Pag	ges, Etc.)						
A2	"Random Early Detection Gateways For Congestion Avoidance"; Floyd, S. & Jacobson, V; IEEE/ACM Transactions on Networking; August 1993; pgs. 397-413.									
A3	Combined Search and Examination Report; Application No. GB0501756.1; Date of Search: March 23, 2005.									
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	REF. DES. A1	REF. DOCUMENT NUMBER DES. FOR REF. DOCUMENT NUMBER US 2003/0221007 FOR REF. DOCUMENT NUMBER FOR REF. DOCUMENT NUMBER TOTHER ART (I A2 "Random Early Detection Corransactions on Networking Control of Correct Control of Corransactions on Networking Control of Corrassactions on Ne	See several sheets if necessary) U.S. PATENT REF. DOCUMENT NUMBER DATE US 2003/0221007 11/27/2003 FOREIGN PATE REF. DOCUMENT NUMBER DATE FOREIGN PATE REF. DOCUMENT NUMBER DATE A1 JP 2003/067174 A2 "Random Early Detection Gateways For Cor Transactions on Networking; August 1993; page 1993	See several sheets if necessary) U.S. PATENT DOCUMENTS REF. DOCUMENT NUMBER DATE NAME US 2003/0221007 11/27/2003 Chiu, Cheng-Hui, et al. US 2003/0221007 11/27/2003 Chiu, Cheng-Hui, et al. FOREIGN PATENT DOCUMENTS REF. DOCUMENT NUMBER DATE COUNTRY BES. DOCUMENT NUMBER DATE COUNTRY A1 JP 2003/067174 DOTHER ART (Including Author, Title, Date, Pertinent Page ("Random Early Detection Gateways For Congestion Avoidance"; Floyd, S. Transactions on Networking; August 1993; pgs. 397-413.	See several sheets if necessary) FILING DATE: January 27, 2004	See several sheets if necessary) FILING DATE: January 27, 2004 U.S. PATENT DOCUMENTS REF. DOCUMENT NUMBER DATE NAME CLASS SUB CLASS US 2003/0221007 11/27/2003 Chiu, Cheng-Hui, et al. SEE DOCUMENT NUMBER DATE NAME CLASS SUB CLASS OUS 2003/0221007 11/27/2003 Chiu, Cheng-Hui, et al. FOREIGN PATENT DOCUMENTS REF. DOCUMENT NUMBER DATE COUNTRY CLASS SUB CLASS A1 JP 2003/067174 CLASS SUB CLASS A1 JP 2003/067174 CLASS SUB CLASS A2 "Random Early Detection Gateways For Congestion Avoidance"; Floyd, S. & Jacobson, V; IEEE Transactions on Networking; August 1993; pgs. 397-413.				

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.